

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

PERRY L. DIGGS,

Plaintiff,

v.

FAUSTIN LUCIO, III,

Defendant.

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Civil Action No. 3:06-CV-2231-L

ORDER

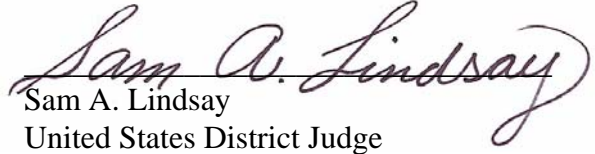
Before the court are the Findings, Conclusions and Recommendations of the United States Magistrate Judge, entered April 23, 2007. No objections to the magistrate judge's findings and conclusions were filed.

This case is a *pro se* civil action by Plaintiff Perry L. Diggs, alleging claims against Defendant for wrongful termination, negligence, defamation of character, personal injury, workmen's compensation, violating Plaintiff's "Sixth Amendment /Workplace Right," failure to train managers, and failure to document. Magistrate Judge Paul D. Stickney found that Plaintiff has failed to allege a federal question or diversity jurisdiction sufficient for this court to exercise subject matter jurisdiction over his claims. In the alternative, Judge Stickney recommends dismissing Plaintiff's case for want of prosecution, for his failure to respond to the court's second questionnaire to him.

Having reviewed the pleadings, file and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct. The magistrate judge's findings and conclusions are therefore **accepted** as those of the court. The court

therefore **dismisses without prejudice** Plaintiff's complaint for lack of subject matter jurisdiction, and in the alternative, **dismisses without prejudice** Plaintiff's complaint for want of prosecution.

It is so ordered this 10th day of May, 2007.


Sam A. Lindsay
United States District Judge